

RESOLUTION NO. 09-171

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA ISSUING AN INTERIM CERTIFICATE OF APPROPRIATENESS TO BAL BAY REALTY, LTD. TO COMMENCE RESTORATION AND REHABILITATION OF CERTAIN PORTIONS OF HIALEAH PARK AND APPLY FOR MECHANICAL, ELECTRICAL, AND OTHER PERMITS IN CONNECTION THEREWITH, WHICH WILL ALLOW HIALEAH PARK TO COMMENCE A FORTY-DAY HORSE-RACING SEASON BY THE PROPOSED DATE OF NOVEMBER 28, 2009.

WHEREAS, Hialeah Park Racetrack (hereinafter referred to as "Hialeah Park") was designated historic by the Hialeah Historic Preservation Board on September 7, 1989, and has also been designated historic by the National Register of Historic Places; and

WHEREAS, the State of Florida has given permission to the owners of Hialeah Park to commence operations as a horse-racing facility; and

WHEREAS, the owners of Hialeah Park wish to commence a forty-day horse-racing season beginning November 28, 2009; and

WHEREAS, the owners have hired an experienced historic preservation consultant and a general contractor who have advised that certain repairs must be made to a portion of the clubhouse to be able to utilize the structure for the limited horse-racing season; and

WHEREAS, the owners of Hialeah Park have applied for an interim certificate of appropriateness to allow them to restore and rehabilitate certain portions of Hialeah Park's existing structures and to apply for mechanical and electrical permits in connection therewith, to bring those structures into conformity with life safety provisions and be able to commence horse-racing by the desired date; and

WHEREAS, this application for an interim certificate of appropriateness requests permission to proceed with restoration and rehabilitation of Hialeah Park, which is part of the initial phase of a multi-faceted, long-term overall land redevelopment plan for Hialeah Park; and

WHEREAS, the owners and their hired consultants have agreed to provide weekly reports and photographs to the City of Hialeah detailing the restoration, as well as a complete historic survey; and

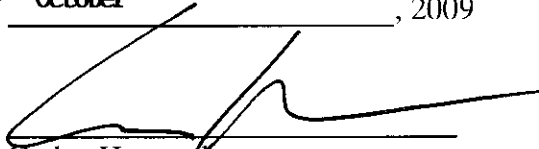
WHEREAS, the Hialeah Historic Preservation Board, in its regularly scheduled meeting of October 7, 2009, voted unanimously to approve the application for certificate of appropriateness.

THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.


Section 2: The City of Hialeah, Florida hereby issues a certificate of appropriateness to allow Bal Bay Realty Ltd. to commence the initial stages of restoration of Hialeah Park and obtain the mechanical and electrical permits in connection therewith to be able to hold horse-racing by the scheduled date of November 28, 2009.

PASSED AND ADOPTED this 27th day of October, 2009


Carlos Hernandez
Council President

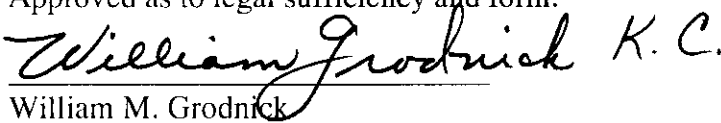
Attest:

Approved on this 28 day of October, 2009.


Rafael E. Granado
City Clerk


Mayor Julio Robaina

Approved as to legal sufficiency and form:


William M. Grodnick
City Attorney

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Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Muñoz, Garcia-Martinez, Gonzalez-Hernandez, Yedra voting "Yes", Councilmember Cue absent.